

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,  
CONNECTICUT, NEW JERSEY,  
RHODE ISLAND and WASHINGTON,  
and COMMONWEALTHS OF  
MASSACHUSETTS and VIRGINIA,

Plaintiffs,

No. 18-cv-6471 (ER)

v.

UNITED STATES DEPARTMENT OF  
JUSTICE; and JEFFERSON B.  
SESSIONS III, in his official capacity as  
Attorney General of the United States,

Defendants.

**CITY OF NEW YORK**

Plaintiff,

v.

JEFFERSON B. SESSIONS III, in his  
official capacity as Attorney General of  
the United States of America, and the  
UNITED STATES DEPARTMENT OF  
JUSTICE,

Defendants.

No. 18-cv-6474 (ER)

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,  
CONNECTICUT, NEW JERSEY, and  
WASHINGTON, and  
COMMONWEALTHS OF  
MASSACHUSETTS and VIRGINIA,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
JUSTICE; and JEFFERSON B.  
SESSIONS III, in his official capacity  
as Attorney General of the United  
States,

Defendant.

NO. 1:18-cv-06471

DECLARATION OF DANIEL J.  
BENNETT

Pursuant to 28 U.S.C. § 1746(2), I, Daniel J. Bennett, hereby declare as follows:

1. I am the Secretary of Public Safety and Security in the Massachusetts Executive Office of Public Safety and Security, an executive agency in the Commonwealth of Massachusetts. In that role, I have supervisory responsibility for Massachusetts's implementation of Edward Byrne Memorial Justice Assistance Grant ("Byrne-JAG") program. I have served in this role for just over three years.

2. The Massachusetts Executive Office of Public Safety and Security ("EOPSS") is the state agency responsible for applying for, obtaining, and disbursing funds to subgrantees under the Byrne-JAG program.

3. Massachusetts has applied for, and received, Byrne-JAG funding since Congress created the grant in 2006.

4. Prior to 2006, Massachusetts received grant money from Byrne-JAG's predecessor, the Edward Byrne Memorial State and Local Law Enforcement Assistance Program.

5. Massachusetts has spent or will spend funds received from its Byrne-JAG grant to create or support various law enforcement programs and initiatives, such as programs that provide wrap-around service to high-risk youth, including through faith-based and community-based efforts; programs aimed at reducing heroin and other opioid use through prevention, intervention, treatment, interdiction, and system readiness; collaborative projects that promote efforts of local agencies to provide and ensure comprehensive reintegration programs for juvenile and adult offenders reentering the community; and projects that promote the collaboration of law enforcement, the courts, and local victim service agencies in responding to domestic violence and sexual assault incidents.

6. The various subgrantees of EOPSS have spent or will spend funds received from Massachusetts' Byrne-JAG grant to create or support various law enforcement programs and initiatives, such as hiring case managers with expertise in substance abuse and counseling to serve as a liaison between law enforcement and the treatment centers where individuals are referred for care; increasing community outreach in high-risk areas; implementing training and early intervention tools for at-risk youth; and implementing data and analysis to drive strategies to reduce crime and improve operational effectiveness.

7. EOPSS's subgrantees also have used Byrne-JAG funding for several law enforcement purposes, including training, staffing, travel, equipment, professional services, and facilities, among others. These funds also have been vital in supporting, among other things, multi-jurisdictional operations.

8. Massachusetts is committed to ensuring that Byrne JAG program funds are used in an effective manner that furthers the purposes of the Byrne JAG program.

9. EOPSS typically awards Byrne JAG program funds to dozens of subgrantees through Request for Proposal processes. In the past, subgrantees have included District Attorneys, Sheriffs, the Massachusetts Department of Corrections, the Municipal Police Training Committee, and many local police departments.

10. The U.S. Department of Justice's Office of Justice Programs sent the grant award letter for the fiscal year 2017 Byrne JAG grant program, and the related "Special Conditions" documents, to my office on June 26, 2018. A copy of that letter is attached here as **Exhibit A**.

11. Massachusetts was awarded \$3,453,006 in Byrne-JAG funds for fiscal year 2017.

12. Massachusetts has planned on using its fiscal year 2017 Byrne-JAG grant to fund programs focused on reducing gun, gang, and youth violence; evidence-based reentry programs to reduce recidivism; programs targeting domestic violence and sexual assault offenders; efforts geared toward combating heroin, fentanyl, and other illegal drugs; and collaborative prosecution and prevention programs.

13. If the fiscal year 2017 Byrne-JAG funds are not made available to Massachusetts, many of these programs will go without funding or with reduced funding as there are no alternative state funds currently budgeted for these programs.

14. As Massachusetts's direct grantee of Byrne-JAG funds, EOPSS is responsible for ensuring compliance with grant terms by subgrantees. Funding for this monitoring comes straight from EOPSS's Byrne-JAG Program award. The additional conditions included in the FY 2017 Byrne-JAG Program award will necessarily increase subgrantees' time and divert resources to comply with EOPSS's diligent inquiries and monitoring of subgrantee compliance.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 25th day of July 2018.



Daniel J. Bennett  
Daniel J. Bennett  
Secretary of Public Safety and Security